UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

LESLIE JENSON,

Plaintiff,

vs.

JP MORGAN CHASE & CO.; and DOES 1 through 10, inclusive,

Defendant.

CASE NO. 08cv334-JLS (WMc)

ORDER RE: TELEPHONIC EARLY NEUTRAL EVALUATION

On March 10, 2008, the Court received a letter from defendant's counsel in the above captioned case requesting permission "for Chase's representative to appear by telephone pursuant to Local Rule 16.1(c)1c." (Defs. Ltr of 03/10/08.) On March 12, 2008, plaintiff filed Objections to Defendant's Ex Parte Request For Permission To Appear By Telephone At The ENE Conference. Essentially, plaintiff objects to defendant's representative telephonic appearance because "[t]he ENE Conference is very often not productive for settlement unless there is personal attendance of the parties" and "Chase has given no extraordinary circumstances to be excused from personal attendance. . . ." (Pl.'s Mtn at 3).

The Order issued by the Court on March 7, 2008, states in pertinent part, "[r]equests to be excused from attendance for extraordinary circumstances must be in writing . . . ." [Docket No. 4.] The Court construes this to mean that requests to be excused from any participation in the ENE shall only be granted under extraordinary circumstances. In this case, it appears defendant's representative is not seeking to be excused from attendance (i.e. participating in the ENE) but to be excused from *in person* attendance. As noted, counsel for defendant intends to personally appear and will have defendant's representative available by telephone. Therefore, the Court finds good cause for allowing defendant's representative to participate telephonically in the ENE.

IT IS SO ORDERED.

DATED: March 27, 2008

Hon. William McCurine, Jr.
U.S. Magistrate Judge
United States District Court